

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACY G.,

Plaintiff,

Civil Case No. 22-12308

v.

COMMISSIONER OF SOCIAL SECURITY,

Sean F. Cox

United States District Court Judge

Defendant.

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ORDER ADOPTING
11/27/23 REPORT AND RECOMMENDATION

Plaintiff filed this action seeking judicial review of Defendant Commissioner's final decision denying her application for Supplemental Security Income under the Social Security Act. The matter was referred to Magistrate Judge David Grand for determination of all non-dispositive motions under 28 U.S.C. § 636(b)(1)(A) and issuance of a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Thereafter, the parties filed cross-motions for summary judgment.

In a Report and Recommendation ("R&R") issued on November 27, 2023, the magistrate judge recommends that the Court: 1) deny the Commissioner's Motion for Summary Judgment; 2) grant Plaintiff's Motion for Summary Judgment in part, to the extent it seeks remand, and deny it in part, to the extent it seeks an award of benefits; and 3) remand the case for further proceedings.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after

being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby **ADOPTS** the November 27, 2023 R&R.

IT IS ORDERED that the Commissioner’s Motion for Summary Judgment is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Summary Judgment is **GRANTED IN PART AND DENIED IN PART**. Her motion is **GRANTED** to the extent that it seeks remand and **DENIED** to the extent it seeks an award of benefits. The Court **ORDERS** that this matter is **REMANDED**, as explained in the R&R, for a more thorough evaluation of the evidence, assessment of Plaintiff’s RFC, and consideration of whether she is disabled under the Act.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: December 18, 2023